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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/314,926

05/20/1999

MUNEHICO OHTA

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05/05/2004

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EXAMINER

WALLERSON, MARK E

ART UNIT

PAPER NUMBER

2626

DATE MAILED: 05/05/2004

14

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/314,926

Applicant(s)

OHTA, MUNEHIKO

Examiner

Mark E. Wallerson

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 02 January 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-53 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1,2,4-8,11,12,14-18,20-23,25-29,31,33,34,36,38,39,41,43,44 and 46-53 is/are rejected.
- 7) ☐ Claim(s) 3,13,24,32,35,37,40,42 and 45 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Part III DETAILED ACTION

Notice to Applicant(s)

1. This action is responsive to the following communications: amendment filed on 2/20/042.
2. This application has been reconsidered. Claims 1-8, 11-18, 20-29, and 31-53 are pending.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1, 2, 5, 6, 11, 12, 15, 16, 21, 22, 23, 26, 27, 31, 36, 41, 46, 47, 48, 49, and 51-53 are rejected under 35 U.S.C. 102(e) as being anticipated by Ando et al (Ando (U.S. 6,139,134).

With respect to claims 1, 2, 5, 6, 11, 12, 15, 16, 21, 22, 23, 26, 27, 31, 36, 41, 46, 47, 48, 49 and 51-53, Ando discloses an information processing apparatus comprising a common

module (22) for providing a common image processing for a printer (28) connected to the information processing apparatus irrespective of the type of connected printer (column 10, lines 8-20); plural individual processing modules (23 and 24) each providing a different image processing for a printer connected to the information processing apparatus depending on the type of printer (column 10, lines 8-20), and means (27) for switching the plural modules in accordance with the type of connected printer and outputting information processed by the switched module to the connected printer (column 10, lines 8-59).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 4, 7, 8, 14, 17, 18, 20, 25, 28, 29, 32, 33, 34, 38, 39, 43, 44, and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sasaki in view of Yano et al (Yano) (U. S. 5,907,666).

With respect to claims 4, 14, 20, 25, 33 and 50, Ando differs from claims 4, 10, 14, 20, 25, 33, and 50 in that he does not clearly disclose the module offset transmits the information in accordance with a head of the output apparatus. Yano discloses transmitting offset data to an ink jet printer in accordance with a head of the output device (column 4, lines 28-55), the offset being performed by a printer driver (column 12, lines 42-56). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Ando

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wherein the module offset-transmits the information in accordance with a head of the output apparatus. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Ando by the teaching of Yano in order to improve the efficiency of the printer.

With regard to claims 7, 8, 17, 18, 28, and 29, Ando differs from claims 7, 8, 17, 18, 28, and 29 in that he does not clearly disclose the information is quantized and binarized.

Yano discloses a printer driver for binary coding and rasterizing print data (column 33, lines 37-47). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Ando wherein the information is quantized and binarized. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Ando by the teaching of Yano in order to improve the efficiency of the printer.

With respect to claims 32, 38, 43 Ando differs from claims 32, 38, and 43 in that he does not clearly disclose the module offset transmits the information in accordance with a head of the output apparatus, in which the head has recording elements with plural colors. Yano discloses transmitting offset data to an ink jet printer in accordance with a head of the output device (column 4, lines 28-55), the offset being performed by a printer driver (column 12, lines 42-56), wherein he head has recording elements with plural colors (column 4, lines 42-55). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Ando wherein the module offset-transmits the information in accordance with a head of the output apparatus. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Ando by the teaching of Yano in order to improve the efficiency of the printer.

With regard to claims 34, 39, and 44, Ando differs from claims 34, 39, and 44 in that he does not clearly disclose controlling the offset transmission when data for a longitudinal paper is printed. Yano discloses controlling the offset transmission when data for a longitudinal paper is printed (column 33, lines 37-47). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to control the offset transmission when data for a longitudinal paper is printed. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Ando by the teaching of Yano in order to improve the efficiency of the printer.

Allowable Subject Matter

7. Claims 3, 13, 24, 32, 35, 37, 40, 42, and 45 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

8. Applicant's arguments with respect to claims 1-53 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark E. Wallerson whose telephone number is (703) 305-8581. The examiner can normally be reached on Monday-Friday - 6:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams can be reached on (703) 305-4863. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mark E. Wallerson
Primary Examiner
Art Unit 2626

A handwritten signature in black ink, appearing to be 'MW', is written to the right of the printed name and title.